

REMARKS

Applicants have studied the Office Action dated April 18, 2008. Claims 1 and 8-22 have been canceled without prejudice. Claims 23-32 have been added. Claims 3-7 and 23-32 are pending. Reconsideration and allowance of the pending claims in view of the above amendments and the following remarks are respectfully requested.

In the Office Action, the Examiner:

- Indicated that the drawings are acceptable for examination purposes but that formal drawings will be required when the application is allowed;
- rejected claim 1, 8, 14, and 20-22 on the ground of nonstatutory obvious-type double patenting as being unpatentable over claims 1 and 10 of U.S. patent No. 7,353,262; and
- indicated claims 3-7, 9-13, and 15-18 are allowable if rewritten in independent form including all limitations of the base claim and any intervening claim.

Drawings

Formal drawings have been submitted herewith.

Nonstatutory Obvious-Type Double Patenting

Claims 1, 8, 14, and 20-22 have been cancelled without prejudice or disclaimer and to order to expediate prosecution. The Applicants respectfully submit that the cancellation of claims 1, 8, 14, and 20-22 render the Examiner's rejection moot.

Allowable Subject Matter

As an initial matter, the Applicants would like to thank Examiner Barot for indicating claims 3-7, 9-13, and 15-18 are allowable if rewritten in independent form including all limitations of the base claim and any intervening claim. Claims 3-6 have been rewritten independent form to not only include all limitations of the base claim and

any intervening claim but to also include the limitations of cancelled independent claims 8 (PC Card Driver Started), 14 (PC Card is inserted), 20 (a system battery is present) and 21 (UPS) and 22 (portable power scheme) to enable easier prosecution by reciting all the limitation of these independent claims along with the limitation of independent claim 1 (CPU is a mobile type) as follows:

receiving at least one local run-time environmental condition including at least one condition based on whether at least one of:

i) a CPU in a client system is one of a mobile type;

ii) a PC Card driver is started in a client system;

iii) a PC Card is inserted in a socket in a client system;

iv) a system battery is present in a client system; and

v) an interruptible power supplier (UPS) is connected to a client system;

to determine whether one or more selectable configuration settings are applied on the client system, wherein the one or more selectable configuration settings are previously set graphically using a graphical user interface with one or more user selectable configuration settings therein;

Accordingly, Applicants respectfully submit that claims 3-6 are in a condition for allowance which allowance is respectfully requested. Claim 7 depends from newly amended independent claim 6, accordingly the Applicants respectfully submit that dependent claim 7 is in a condition for allowance which allowance is respectfully requested.

Claims 23-27 are computer program product claims with the identical limitations of allowable method claims 3-7, accordingly the Applicants respectfully submit that claims 23-27 are in a condition for allowance which allowance is respectfully requested.

Claims 28-32 are system claims with the identical limitations of allowable method claims 3-7, accordingly the Applicants respectfully submit that claims 28-32 are in a condition for allowance which allowance is respectfully requested.

CONCLUSION

The prior art made of record and not relied upon was reviewed and Applicants believe that such prior art is not pertinent to Applicants' disclosure.

No amendment made was related to the statutory requirements of patentability unless expressly stated herein. No amendment made was for the purpose of narrowing the scope of any claim, unless Applicants have argued herein that such amendment was made to distinguish over a particular reference or combination of references.

Applicants acknowledge the continuing duty of candor and good faith to disclose information known to be material to the examination of this application. In accordance with 37 CFR §1.56, all such information is dutifully made of record. The foreseeable equivalents of any territory surrendered by amendment are limited to the territory taught by the information of record. No other territory afforded by the doctrine of equivalents is knowingly surrendered and everything else is unforeseeable at the time of this amendment by the Applicants and their attorneys.

The Commissioner is hereby authorized to charge any fees that may be required or credit any overpayment to Deposit Account 50-1556. In view of the preceding discussion, it is submitted that the claims are in condition for allowance. Reconsideration and re-examination is requested.

PLEASE CALL the undersigned if the Examiner believes that there are any informalities that can be corrected by Examiner's amendment, or that in any way it would help expedite the prosecution of the patent application.

Respectfully submitted,

Date: July 18, 2008

By: /Jon Gibbons/
Jon Gibbons(Reg. No.37,333)
Attorney for Applicant

FLEIT GIBBONS GUTMAN BONGINI & BIANCO P.L.
One Boca Commerce Center
551 N.W. 77th Street
Suite 111, Boca Raton, Florida 33487
Telephone: (561) 989-9811
Facsimile: (561) 989-9812
www.FocusOnIP.com